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7 JOVITA G. MARQUEZ, et al.,
8 Plaintiffs,
9 v.
10 SELECT PORTFOLIO SERVICING, INC.,
et al.,
11 Defendants.

12 Case No. 16-cv-03012-MEJ

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**ORDER REFERRING CASE TO ADR
UNIT FOR ASSESSMENT TELEPHONE
CONFERENCE**

20 Pursuant to Civil Local Rule 16-8 and Alternative Dispute Resolution (ADR) Local Rule
21 2-3, the Court refers this foreclosure-related action to the ADR Department for a telephone
22 conference to assess the case's suitability for mediation or a settlement conference. All
proceedings in this case are stayed and no dispositive motions shall be considered pending the
outcome of the ADR assessment conference. After the ADR Department advises the Court of the
outcome of the assessment conference, the Court will decide whether the stay should be lifted and,
if necessary, issue a further scheduling order.

23 The parties shall participate in a telephone conference, to be scheduled by the ADR
24 Department as soon as possible, but no later than July 6, 2016. The parties shall be prepared to
25 discuss the following subjects:

- 26 (1) Identification and description of claims and alleged defects in loan
documents.
27 (2) Prospects for loan modification.
28 (3) Prospects for settlement.

The parties need not submit written materials to the ADR Unit for the telephone
conference. In preparation for the telephone conference, Plaintiffs shall do the following:

- 1 (1) Review relevant loan documents and investigate the claims to
determine whether they have merit.
- 2 (2) If Plaintiffs would like a loan modification to resolve all or some of
the claims, Plaintiffs shall prepare a current, accurate financial
statement and gather all of the information and documents
customarily needed to support a loan modification request. Further,
Plaintiffs shall immediately notify counsel for Defendants of the
request for a loan modification.
- 3 (3) Provide counsel for Defendants with information necessary to
evaluate the prospects for loan modification, in the form of a
financial statement, worksheet or application customarily used by
financial institutions.
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8 In preparation for the telephone conference, Defendants shall do the following.

- 9 (1) If unable or unwilling to do a loan modification after receiving
notice of the request, Defendants shall promptly notify Plaintiffs to
that effect.
- 10 (2) Arrange for a representative of each Defendant with full settlement
authority to participate in the telephone conference.
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13 The ADR Department will notify the parties of the date and time the telephone conference
will be held. After the telephone conference, the ADR Department will advise the Court of its
recommendation for further ADR proceedings.

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16 **IT IS SO ORDERED.**

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18 Dated: June 6, 2016

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MARIA-ELENA JAMES
United States Magistrate Judge

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